

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

COMPLAINT

Plaintiff, Cinda Coomes, by counsel, Chapman Law LLC, for her causes of action against Defendants Cruise America, Inc. and Ford Motor Company, states as follows:

PARTIES

1. Plaintiff is a resident of the State of Indiana.
2. Defendant Cruise America, Inc. is a corporation duly organized under the laws of the State of Florida, with a principal place of business in Mesa, Arizona, authorized to do business in the State of Illinois.
3. Defendant Ford Motor Company is a corporation duly organized under the laws of the State of Delaware, with a principal place of business in Dearborn, Michigan.

JURISDICTION AND VENUE

4. The injuries giving rise to this cause of action commenced in the State of Illinois.

5. Plaintiffs bring their Complaint under Federal Diversity Jurisdiction pursuant to 28 U.S.C. § 1332, as the parties to this case are completely diverse in citizenship and the amount in controversy exceeds \$75,000.00.

FACTS COMMON TO ALL COUNTS

6. On August 23, 2020, Plaintiff Cinda Coomes was a front-seat passenger in a Ford, model E-450 recreational vehicle owned by Defendant Cruise America, Inc.
7. On August 23, 2020, Plaintiff Cinda Coomes, her son, and her daughter-in-law, embarked on a trip from Illinois to Colorado, where Plaintiff's son and daughter-in-law were adopting an infant child.
8. Plaintiff Cinda Coomes has limited sensation in her feet due to diabetes.
9. Over the course of the trip from Illinois to Colorado, the passenger side floorboard of the E-450 vehicle became heated, severely burning Plaintiff Cinda Coomes's feet.
10. Plaintiff Cinda Coomes incurred damages including but not limited to medical expenses, lost wages, and pain and suffering.

**COUNT I
NEGLIGENCE AGAINST CRUISE AMERICA, INC.**

11. Defendant Cruise America, Inc. owed a duty furnish a vehicle that would not injure its occupants during ordinary and expected use.
12. Defendant Cruise America, Inc. knew or should have known that the passenger side floorboard of the E-450 vehicle heated to dangerous temperatures.

13. Defendant Cruise America, Inc. failed to warn that the passenger side floorboard of the E-450 vehicle could heat to dangerous temperatures.
14. Defendant Cruise America, Inc. failed to take any measures to reduce and/or eliminate the transference of heat to and/or through the passenger side floorboard of the E-450 vehicle.
15. Defendant Cruise America, Inc.'s failures caused injuries to Plaintiff Cinda Coomes.
16. Plaintiff Cinda Coomes sustained damages.

COUNT II
PRODUCT LIABILITY AGAINST FORD MOTOR COMPANY

17. Defendant Ford Motor Company manufactured the E-450 vehicle in which Plaintiff was injured.
18. Defendant Ford Motor Company sold and/or placed in the stream of commerce the E-450 vehicle in which Plaintiff was injured.
19. The propensity of the passenger side floorboard of the E-450 vehicle to heat to dangerous temperatures is an unreasonably dangerous condition.
20. The propensity of the passenger side floorboard of the E-450 vehicle to heat to dangerous temperatures is a condition that existed at the time the E-450 vehicle left Defendant Ford Motor Company's control.
21. The E-450 vehicle was defectively designed.
22. Defendant Ford Motor Company failed to warn that the floorboard of the E-450 vehicle could heat to dangerous temperatures.

23. Plaintiff Cinda Coomes sustained damages due to Defendant Ford Motor Company's defective design of the E-450 vehicle.

24. Plaintiff Cinda Coomes sustained damages due to Defendant Ford Motor Company's failure to warn its consumers of the propensity of the passenger side floorboards of its E-450 vehicles to heat to dangerous temperatures.

WHEREFORE, Plaintiff, Cinda Coomes, prays for judgement against Defendants, Cruise America, Inc. and Ford Motor Company, plus her costs of suit. Plaintiff requests trial by jury.

CHAPMAN LAW LLC

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